

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 L-03 DHA-02 SCS-03 SCA-01 JUSE-00
H-01 PRS-01 SS-15 NSC-05 CIAE-00 INR-07 NSAE-00
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FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 2091

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E.O. 11652: N/A
TAGS: PFOR, CASC, MX
SUBJECT: US-MEXICAN PRISONER TRANSFER TREATY:
VISIT OF JUSTICE DEPT DEPT TEAM RE IMPLEMENTING
LEGISLATION

DEPT PASS JUSTICE FOR CIVILETT AND CARLSON, AND PAROLE
COMMISSION FOR CRAWFORD

1. JUSTICE TEAM, CONSISTING OF KAPLAN AND KENNEY (CRIMINAL
DIVISION), CRIPE AND CORTEZ (BUREAU OF PRISONS) AND PROF.
VAGTS (L) MET WITH FOREIGN RELATIONS UNDERSECRETARY
ROSENSWEIG DIAZ, ATTORNEY GENERAL FLORES SANCHEZ, THE
LATTER'S EXECUTIVE ASSISTANT LIC. FERNANDO BAEZA, AND
DIRECTOR OF PREVENCIÓN SOCIAL DR. LECHUGA WITH HIS DEPUTY
LIC. MARCEL FLORES. VISIT HAS BEEN CONSIDERED VERY
BENEFICIAL FROM BOTH INTERESTS OF JUSTICE AND EMBASSY.

2. BEGIN FYI. PRESIDENT LOPEZ PORTILLO JUST NAMED
ATTORNEY GENERAL AS "AUTHORITY" UNDER THE TREATY. THIS WAS
UNKNOWN BY GOBERNACION OR THE ATTORNEY GENERAL AT TIME OF
MEETINGS WHICH WERE THEREFORE NOT ENTIRELY CONCLUSIVE.
TEAM AND EMBASSY BELIEVE THAT ANOTHER VISIT WILL BE MOST
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USEFUL WHEN AUTHORITY AND GOM OFFICIALS DIGEST ISSUES
RAISED IN MEETINGS HELD THIS WEEK. END FYI.

3. FOLLOWING ARE CONSIDERED TO BE MOST RELEVANT INFOR-
MATION OBTAINED:

(A) PREVENCIÓN SOCIAL CALCULATES AMERICAN RETURNEES WILL

BE APPROXIMATELY 80 WITH CAVEAT THAT CANVASSING NOT COMPLETE AND CHANGES MAY OCCUR AFTER U.S. RATIFICATION. BEGIN FYI: TEAM ADVISES THIS FIGURE NOT REPEAT NOT BE RELIED UPON AND EXPECTS HIGHER NUMBER. END FYI.

(B) INITIAL GROUP EXPECTED TO BE RELATIVELY LARGE.

(C) POINT FROM WHICH RETURN INITIATED WOULD BE MEXICO CITY FOR THIS CONSULAR DISTRICT AND ALL POINTS SOUTH WITH JUAREZ AND TIJUANA SERVING NORTHERN MEXICO. MODE OF PREFERRED TRANSPORTATION FROM MEXICO CITY IS AIR.

(D) INFORMATION DESIRED FOR PROCESSING BY BOTH PARTIES APPEARS SIMILAR AND U.S. TEAM UNDERTOOK TO PROVIDE SHEET OR SHEETS OF TYPE INFORMATION WHICH WOULD BE NECESSARY FOR U.S. AS A START. SHEET TO BE IN BOTH LANGUAGES AND WOULD BE FILLED OUT INITIALLY BY PRISONER.

(E) BOTH SIDES AGREED THERE WILL BE TRANSLATION PROBLEMS (TIME AND COST) UNLESS INFORMATION REQUIRED IS KEPT AT A MINIMUM AND EVEN THEN THIS IS LIKELY TO BE A POSSIBLE CAUSE OF DELAY IN THE INITIAL TRANSFER ASSUMING THE INITIAL TRANSFER IS LARGE.

(F) EMBASSY WILL HAVE TO WORK WITH GOM IN MAKING ARRANGEMENTS FOR DROPPING APPEALS IF REQUESTED BY PRISONERS TO ENABLE THEM TO QUALIFY FOR RETURN.

4. U.S. TEAM STRESSED FOLLOWING POINTS:
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(A) ON TIMING, PROGRESS ON THE LEGISLATIVE/RATIFICATION PROCESS OF TREATY APPEARED GOOD AND, AS A WORKING BASIS, U.S. WANTED TO BE ABLE INITIATE THE PROGRAM BY AUGUST 1. FINAL TIMING WOULD DEPEND ON CONGRESSIONAL ACTION BUT NEED TO BE PREPARED WAS IMPORTANT. AN UNDERTAKING WAS MADE TO KEEP THE GOM WELL INFORMED ON THE PROGRESS.

(B) A RELATIVELY ACCURATE ASSESSMENT OF NUMBERS WOULD BE IMPORTANT FOR U.S. PLANNING. (THERE IS CONFUSION OVER THE ISSUE AS TO WHETHER THE GOM OR THE EMBASSY AND CONSULATES WOULD ASCERTAIN THE INITIAL DESIRE OF THE PRISONER TO RETURN; HOWEVER, BOTH JUSTICE REPS AND GOM AUTHORITIES WERE IN COMPLETE ACCORD THAT NO EFFORT SHOULD BE MADE BY EITHER SIDE TO EVEN IMPLY ENCOURAGEMENT TO DROP PROCESSING OF RIGHTS WHETHER ON APPEAL OR IN THE AMPARO STAGE (E.G. HABEAUS CORPUS PROCEEDINGS)).

(C) THE U.S. DID NOT ANTICIPATE ANY LARGE NUMBER OF

MEXICAN RETURNEES. (MEXICAN OFFICIALS ACCEPTED THIS WELL.)

5. AT HIS REQUEST, A FINAL MEETING TO REPORT ON RESULTS
OF VISIT HAS BEEN SCHEDULED WITH ROSENZWEIG DIAZ FOR
MORNING MAY 12.

6. ALTHOUGH EMBASSY WOULD NOT DENY FACT OF VISIT, NO
ATTEMPT HAS BEEN MADE TO PUBLICIZE THE VISIT IN ORDER NOT
TO AROUSE HOPES OF PRISONERS. THOMPSON

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
Copy: SINGLE
Sent Date: 12-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Format: TEL
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Review Exemptions: n/a
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